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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff.

v.

IDRISS OIBAA.

Defendant.

Case No. 2:24-cr-00175-RFB-MDC

**STIPULATION TO CONTINUE
TRIAL DATES
(Second Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Robert Knief, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Benjamin F. J. Nemec, Assistant Federal Public Defender, counsel for Idriss Qibaa, that the calendar call currently scheduled for January 14, 2025, and the trial scheduled for February 10, 2025, be vacated and set to a date and time convenient to this Court, but no sooner than sixty (60) days.

The Stipulation is entered into for the following reasons:

1. Counsel for the defendant needs additional time to conduct investigation in this case in order to determine whether there are any pretrial issues that must be litigated and whether the case will ultimately go to trial or will be resolved through negotiations.

2. The parties have come to a preliminary agreement to resolve this case and need additional time to execute.

3. The defendant is incarcerated and does not object to the continuance.

4. The parties agree to the continuance.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and complete investigation of the discovery materials provided.

6. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

This is the second stipulation to continue filed herein.

DATED this 13th day of January, 2025.

RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

By /s/ *Benjamin F. J. Nemec*

By /s/ Robert Knief

BENJAMIN F. J. NEMEC
Assistant Federal Public Defender

ROBERT KNIEF
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
IDRISS QIBAA,
Defendant.

Case No. 2:24-cr-00175-RFB-MDC

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to conduct investigation in this case in order to determine whether there are any pretrial issues that must be litigated and whether the case will ultimately go to trial or will be resolved through negotiations.

2. The parties have come to a preliminary agreement to resolve this case and need additional time to execute.

3. The defendant is incarcerated and does not object to the continuance.

4. The parties agree to the continuance.

5. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and complete investigation of the discovery materials provided.

6. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United

1 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
2 Section 3161(h)(7)(B)(i), (iv).

3

4 **CONCLUSIONS OF LAW**

5 The ends of justice served by granting said continuance outweigh the best interest of the
6 public and the defendant in a speedy trial, since the failure to grant said continuance would be
7 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
8 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
9 account the exercise of due diligence.

10 The continuance sought herein is excludable under the Speedy Trial Act, Title 18,
11 United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18,
12 United States Code, § 3161(h)(7)(B)(i), (iv).

13

14 **ORDER**

15 IT IS THEREFORE ORDERED that trial briefs, proposed voir dire questions, proposed
16 jury instructions, and a list of the Government's prospective witnesses must be electronically
17 submitted to the Court by the ____ day of _____, 2025.

18 IT IS FURTHER ORDERED that the calendar call currently scheduled for January 14,
19 2025, at the hour of 1:00 p.m., be vacated and continued to _____ at the hour of
20 ____:_____.m.; and the trial currently scheduled for February 10, 2025 at the hour of 8:30 a.m.,
21 be vacated and continued to _____ at the hour of ____:_____.m.

22 DATED this ____ day of January, 2025.

23 _____
24 UNITED STATES DISTRICT JUDGE
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